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**From:** Yang, Patricia [/O=CORPNYCHHC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PATRICIA.YANG.NYCHHC.ORG]  
**Sent:** 2/1/2018 9:00:35 PM  
**To:** Gillen, Sara [gillens@nychhc.org]  
**Subject:** Fwd: Judge Torres wants to hold us in contempt?

Another example of why I am losing sleep and we are all needing to reset. Talk to you tomorrow.

Begin forwarded message:

**From:** "Yang, Patricia" <Patricia.Yang@nychhc.org>  
**Date:** February 1, 2018 at 8:59:00 PM EST  
**To:** "Ford, Elizabeth" <eford@nychhc.org>  
**Cc:** "Macdonald, Ross" <rmacdonald@nychhc.org>  
**Subject:** Re: Judge Torres wants to hold us in contempt?

Maybe the last twenty will do it  
That was some performance  
Doubt Jeremy knows given what I understand is his remove  
I only found this by shallow digging. Sadly dragging in MOCJ to learn that word had it that the judge might hold the city in contempt and it turns out it is Kaye's own cyclone that has sucked in detritus.

On Feb 1, 2018, at 8:53 PM, Ford, Elizabeth <eford@nychhc.org> wrote:

Does Jeremy know about this? Absolutely ridiculous demand on Kaye's part.  
Standard practice in forensic evals is to use whatever records you have to form an opinion and note any limitations in the formulation.  
In any case, Kaye has been a problem for a long time and we will manage her out.

Whenever I hear that uber director posted, will send around link to forensic psych world. Am sending first candidate Ross' way for a second opinion as well.

Sent from my iPhone  
347-461-5830

On Feb 1, 2018, at 8:46 PM, Yang, Patricia <Patricia.Yang@nychhc.org> wrote:

So I went down Kaye's rabbit hole which included MOCJ thinking the judge was the problem. Not so.

If she stays we need to deal with this.

Need your FPECC Uber clinician on board!

Begin forwarded message:

**From:** "Alberts, Patrick" <palberts1@nychhc.org>  
**Date:** February 1, 2018 at 4:35:15 PM EST

**To:** "Yang, Patricia" <Patricia.Yang@nychhc.org>  
**Subject:** RE: Judge Torres wants to hold us in contempt?

Just spoke with Erin again.

She said Judge Torres is fine using the boilerplate subpoena and understands its limitations. However, he said that Dr. Melissa Kaye (bx clinic) is refusing to perform the examination until she receives the entire unredacted record. It sounds like this problem is entirely unique to her, at least with respect to judge torres. On one hand, I'm glad that the judge isn't the problem, but how do you think we should approach the provider, if at all? In this case, she's asking for something she legally can't have. I don't think it would be appropriate for us to approach the patient and obtain an authorization, and it's doubtful his attorney will either.

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**From:** Alberts, Patrick  
**Sent:** Thursday, February 01, 2018 9:18 AM  
**To:** Yang, Patricia <Patricia.Yang@nychhc.org>  
**Subject:** RE: Judge Torres wants to hold us in contempt?

I spoke with Erin at MOCJ yesterday about this judge, again, and asked Lucy to provide the correct language for a subpoena, which she did. He may have the misperception that his 730 orders entitle him to substance use information, which they do not.

Erin assured me that she would speak with him and report back. I'm not sure if there is some kind of miscommunication or recalcitrance at this point, but he seems to be refusing our boilerplate language. I didn't know about the contempt threat.

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**From:** Yang, Patricia  
**Sent:** Thursday, February 01, 2018 9:05 AM  
**To:** Alberts, Patrick <palberts1@nychhc.org>  
**Subject:** Judge Torres wants to hold us in contempt?

Are courts using boilerplate language requesting records?